

ATTACHMENT A.**RECEIVED
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2880 Club House Rd.
 Costa Mesa, CA 92626-4760
 January 30, 2004

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **Frank P. Forbath**

Application No.: 09/886,415

Group No.: 2841

Filed: 06/20/01

Examiner: M. Lindinger

For: AN IMPROVED MEDICAL TIMING SYSTEM FOR USE BEFORE AND DURING
 CHILDBIRTH LABOR

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re. Office Action Summary, mailed 08/27/2003

Sir:

In response to the above referenced Office Action Summary, please accept this acknowledgement of receipt of your letter. I hereby accept your Final Action, i.e., your rejection of my Claim 1, your permission to cancel Claims 2-8, and your Allowance of Claims 9-14. Hence, I have no pending claims.

You are authorized to restate Claim 1 is rejected or merely to write:
 Claims 1-8 (cancelled).

Until further notice, please forward all communications to Frank P. Forbath to the letterhead address.

(Note that I just received word that your above referenced USPTO Office Action Summary had been received by my former patent agent, Mr. G. Scott. His staff either neglected or apparently forgot to contact me about this important Office Action! I apologize for Mr. Scott and myself for this unfortunate long delay in response to your office.)

Please advise me if your Final Action still requires that I submit the above acceptance of your decision, namely that Claim 1 (rejected) or Claims 1-8 (cancelled) as an Amendment and/or if there are any added fees for this acknowledgement.

Respectively,

Frank P. Forbath

Ph/Fax: 714-545-2374

2nd Ph. Line: 714-549-2001

E-mail: fforbath@aol.com

ATTACHMENT B

2880 Club House Rd.
Costa Mesa, CA 92626-4760
January 22, 2004

Mr. Gene Scott, Patent Agent
Patent Law & Venture Group
3140 Red Hill Ave., Ste. 150
Costa Mesa, CA 92626-3440

I just discovered last night that my updated claims were approved by USPTO (dated 08/27/03) for my Patent Application 09/886,415, "An Improved Medical Timing System For Use Before And During Childbirth Labor", originally filed by you. 6/20/01, based upon my Conditional Patent, filed (through Knobbe Martens) on 6/20/00.

I acknowledge this help by you, and I am thankful that all our extensive combined efforts during this multi-year period paid off by approval.

However, I was astounded to find that you did not have the courtesy to request your staff to tell me that this special information had arrived (stamped: Rec'd 9/2/04) – information that I had sought for over three years, and I had spent hundreds of hours on trying to successfully work with you. You apparently did not phone, E-mail or mail the information to me. Further, you may recall that I had paid you over \$8000.00 for your work.

This long sought USPTO approval had been part of discussions that I have had over many months with several potential investors and business partners.


Frank Forbath

P.S.: I accidentally found the USPTO approval letter in the large package of your files for my patent that you asked me to pick up from Janice (upon my return in end of August from a European trip). The bundled package appeared to be merely copies of your documents/competitive patents that I had given you/etc. A detailed look merely to locate another copy of one of the documents resulted in my belated Approval find.

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